

**PUBLIC VERSION**

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Attorneys for Plaintiff  
VERIGY US, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;  
WESLEY MAYDER, an individual; SILICON  
TEST SYSTEMS, INC., a California Corporation;  
and SILICON TEST SOLUTIONS, LLC, a  
California Limited Liability Corporation,  
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.  
MORTON IN SUPPORT OF VERIGY'S  
MOTION FOR SUMMARY  
ADJUDICATION OF ITS 3RD AND 8TH  
CLAIMS FOR RELIEF**

Date: October 3, 2008  
Time: 9:00 am  
Ctrm.: 6  
Judge: Hon. Ronald M. Whyte

Complaint Filed: August 22, 2007  
Trial Date: None Set

AND RELATED CROSS ACTIONS

**DOCUMENT SUBMITTED UNDER SEAL**  
**HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY**  
**PURSUANT TO STIPULATED PROTECTIVE ORDER**

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of  
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff  
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal  
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would  
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Motion for Summary Adjudication  
8 of its 3rd and 8th Claims for Relief.

9 3. Attached hereto as Exhibit A is a true and correct copy of excerpts from the  
10 deposition transcript of Romi Mayder, Volume 2, dated October 11, 2007.

11 4. Attached hereto as Exhibit B is a true and correct copy of Exhibit 29 from the  
12 deposition of Romi Mayder, Volume 2, dated October 11, 2007.

13 5. Attached hereto as Exhibit C is a true and correct copy of Exhibit 30 from the  
14 deposition of Romi Mayder, Volume 2, dated October 11, 2007.

15 6. Attached hereto as Exhibit D is a true and correct copy of Exhibit 33 from the  
16 deposition of Romi Mayder, Volume 2, dated October 11, 2007.

17 7. Attached hereto as Exhibit E is a true and correct copy of Exhibit 31 from the  
18 deposition of Romi Mayder, Volume 2, dated October 11, 2007.

19 I declare under penalty of perjury under the laws of the United States of America that the  
20 foregoing is true and correct and that this declaration was executed this 29<sup>th</sup> day of August, 2008  
21 at San Jose, California.

22  
23 /s/  
24 Melinda M. Morton

# **EXHIBIT A**

**HIGHLY  
CONFIDENTIAL**

**ATTORNEYS'  
EYES ONLY**

**FILED UNDER SEAL**

# **EXHIBIT B**

# **CONFIDENTIAL**

# **FILED UNDER SEAL**

**EXHIBIT C**

**CONFIDENTIAL**

**FILED UNDER SEAL**

**EXHIBIT D**

**CONFIDENTIAL**

**FILED UNDER SEAL**

# **EXHIBIT E**

**CONFIDENTIAL**

**FILED UNDER SEAL**